

1 Tanya E. Moore, SBN 206683  
2 MOORE LAW FIRM, P.C.  
3 300 South First Street, Suite 342  
4 San Jose, California 95113  
5 Telephone (408) 298-2000  
6 Facsimile (408) 298-6046  
7 E-mail: service@moorelawfirm.com

5 Attorney for Plaintiff  
Darren Gilbert

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

10  
11 DARREN GILBERT, )  
12 Plaintiff, ) Case No. 2:21-cv-02055-KJM-AC  
13 vs. )  
14 JABAR WIRELESS, INC. dba BOOST ) **PLAINTIFF'S REQUEST FOR**  
15 MOBILE, et al., ) **ADMINISTRATIVE RELIEF FROM**  
16 Defendants. ) **SERVICE DEADLINE; [PROPOSED]**  
17 ) **ORDER**

19       **WHEREAS**, on November 5, 2021, Plaintiff, Darren Gilbert (“Plaintiff”), filed the  
20 instant action alleging claims under Title III of the Americans with Disabilities Act of 1990  
21 and parallel California law (ECF No. 1). On November 8, 2021, an order setting status (pretrial  
22 scheduling) conference was issued (ECF No. 3) (“Order”). The Order required that all  
23 defendants be served with the complaint no later than February 3, 2022;

**WHEREAS**, Defendant Mohammed Eid (“Defendant”) has not appeared in this action;

25 | WHEREAS, Plaintiff has been diligently attempting to serve Defendant with the  
26 | Summons and Complaint, but has not been able to effect service on Defendant to date;

27       **WHEREAS**, Plaintiff has attempted to serve Defendant at 7624 Malta Drive Roseville,  
28 CA 95678, but according to the process server, the occupant (Caucasian female) of the

**PLAINTIFF'S REQUEST FOR ADMINISTRATIVE RELIEF FROM SERVICE DEADLINE;  
ORDER**

residence stated that Defendant was unknown at the address provided for service;

**WHEREAS**, Plaintiff conducted research for a new address to serve Defendant and on January 24, 2022, Plaintiff provided One Legal LLC the process server with instructions to serve Defendant at 3917 W. 10<sup>th</sup> Street, Erie, PA 16505. However, on February 7, 2022, Plaintiff cancelled service in Erie, PA;

**WHEREAS**, after further research, Plaintiff plans to request a stake-out on Defendant at 7624 Malta Drive Roseville, CA 95678;

**WHEREAS**, Plaintiff plans to make further service attempts to ensure that Defendant is adequately served and receives notice of this action before he seeks a default judgment;

**WHEREAS**, Plaintiff plans to review the proof of service for Jabar Wireless, Inc. dba Boost Mobile and if needed have the proof of service amended by the process server;

**NOW, THEREFORE**, for the reasons set forth above, Plaintiff respectfully requests that he be given to and including April 4, 2022 to effect service of his Complaint on Defendants.

Dated: February 8, 2022

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore

Tanya E. Moore

Attorney for Plaintiff, Darren Gilbert

## ORDER

Upon request of Plaintiff for administrative relief and good cause appearing,

**IT IS HEREBY ORDERED** that the order requiring service of process and joint status report was issued in this matter filed November 8, 2021 (ECF No. 3) be amended to continue the last day by which Plaintiff must serve the Complaint on Defendant from February 3, 2022 to April 4, 2022.

## **IT IS SO ORDERED.**

DATED: February 9, 2022.

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**CHIEF UNITED STATES DISTRICT JUDGE**

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ORDER**